

AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

FORD MOTOR COMPANY,

Plaintiff

Civil Action No. 2:17-cv-13876

v.

JOHN CENA,

Honorable Arthur J. Tarnow

Defendant

WAIVER OF THE SERVICE OF SUMMONS

To: John Cena

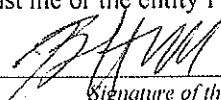
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from December 6, 2017, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: December 6, 2017


Signature of the attorney or unrepresented party

John Cena

Bryan D. Hull, Esq. (Fla. Bar No. 0020969)

Printed name of party waiving service of summons

Printed name

Address: Bush Ross, P.A., 1801 N. Highland Ave.City, State Zip: Tampa, FL 33602E-mail address: bhull@bushross.comTelephone number: (813) 224-9255

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FORD MOTOR COMPANY,

Plaintiff,

Case No. 17-cv-13876

vs.

Hon. Arthur J. Tarnow

JOHN CENA,

Defendant.

Lisa A. Brown (P67208)
Jong-Ju Chang (P70584)
Whitley S. Granberry (P81202)
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CERTIFICATE OF SERVICE

I certify under penalty of perjury that on December 7, 2017, I electronically filed the *Waiver of the Service of Summons* and this *Certificate of Service* with the Clerk of the Court using the E-File & Serve System.

I further certify that on December 7, 2017, I served a copy of the *Waiver of the Service of Summons* and this *Certificate of Service* upon Bryan D. Hull, Esq.,

Bush Ross, P.A. 1801 N. Highland Avenue, Tampa, Florida 33602 via first class mail.

Date: December 7, 2017

DYKEMA GOSSETT PLLC

By: /s/ Jong-Ju Chang

Lisa A. Brown (P67208)

Jong-Ju Chang (P70584)

Whitley S. Granberry (P81202)

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